IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

R.S.A. No. 3277 of 2000
Date of decision February 5, 2007

Haryana Vidyut Parsaran Nigam Ltd.

.....Appellant

Versus

Bharat Box Factory and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VINEY MITTAL

Present:- Sh. Pankaj Kadiyan, Advocate
for the appellant.

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Viney Mittal, J (Oral

The defendant Haryana Vidyut Parsaran Nigam Ltd. is in second appeal. It has lost concurrently before the two Courts below.

A suit for permanent injunction was filed by the plaintiff -firm for restraining the defendants from recovering the amount which was sought to be recovered from it by the Board or from disconnecting the electricity connection.

On perusal of the evidence on record, both the Courts below have held that the defendants had failed to prove that plaintiff was using any excessive load than the sanctioned load. The learned appellate Court has specifically placed reliance upon the checking report Ex. DW2/1 and held that the aforesaid report accompanied by the statement of Sh. I.L. Babbar Junior Engineer, who had appeared as DW2, completely shows that at no point of time, the plaintiff was found to be consuming the load more than the sanctioned load. In these circumstances, the suit filed by the plaintiff has been decreed by the trial Court and the appeal of the

defendants has been dismissed by the appellate Court.

Nothing has been shown that the findings of fact recorded by the two Courts below suffer from any infirmity or are contrary to the record.

No question of law, much less any substantial question of law, arises in the present appeal.

Dismissed.

(VINEY MITTAL)
JUDGE

February 5, 2007
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